UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/15/Add.81
21 October 1997

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Sixteenth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Czech Republic

1. The Committee considered the initial report of the Czech Republic (CRC/C/11/Add.11) at its 411th to 413th meetings (CRC/C/SR.411-413), held on 30 September and 1 October 1997 and adopted* the following concluding observations:

A. Introduction

2. The Committee welcomes the initial report and written answers to the list of issues (CRC/C/Q/CZE/1) submitted by the State party. The Committee expresses its satisfaction at the additional information provided by the State party in the course of the dialogue with the Committee, during which the representatives of the State party indicated, in a self-critical manner, not only the policy and programme directions, but also the difficulties encountered in implementing the Convention. The Committee also acknowledges the fact that the presence of a multidisciplinary delegation directly involved in the implementation of the Convention in the Czech Republic enabled it to engage in a fruitful and constructive dialogue.

---

* At the 426th meeting, held on 10 October 1997.

B. Positive aspects

3. The Committee notes with satisfaction that the State party is currently carrying out a comprehensive law reform and welcomes the initiatives undertaken by the State party to further the protection of the family and children by drafting new legislation, such as the proposed Law on Social and Legal Protection of Children, and proposing amendments to existing legislation, including the Law on the Family, the Criminal Code and the Code of Criminal Procedures.

4. The Committee views positively the initiating by the State party of a training programme for judges, the police, and several government officials dealing with children's rights in order to increase their awareness about the principles and provisions of the Convention.

5. The Committee welcomes the initiative of the State party to establish a "Crisis Line for Children", which provides children with a means to report cases of sexual abuse and domestic violence.

6. The Committee notes with appreciation the longstanding achievements of the State party in the areas of education and medical care and welcomes its commitment to maintain these high standards.

C. Factors and difficulties impeding the implementation of the Convention

7. The Committee acknowledges that the State party has had to face economic, social and political challenges during the past few years. It notes that the transition to a market economy has led to increased rates of unemployment, poverty and other social problems, and has had a serious impact on the welfare of the population, in particular on all vulnerable groups, including children.

D. Principal subjects of concern

8. While acknowledging the openness of the State party towards the possibility of reviewing its reservation to article 7, paragraph 1, of the Convention, the Committee remains concerned that this reservation might impede the full implementation of the Convention.

9. The Committee is concerned at the lack of an integrated strategy for children as well as of a systematic mechanism to monitor progress in all areas covered by the Convention and in relation to all groups of children in urban and rural areas, especially those affected by the consequences of economic transition.

10. The Committee is concerned about the need to strengthen the State party's limited capacity to develop specific disaggregated indicators to evaluate progress achieved and assess the impact of existing policies on all children, in particular children belonging to minority groups.

11. While noting with satisfaction the existence of government bodies dealing with the welfare of children at the national and local levels, the Committee nevertheless expresses its concern that the coordination among them needs to be improved in order to develop a comprehensive approach to the implementation of the Convention.

12. The Committee expresses its concern at inadequate coordination and communication mechanisms between the Government and the non-governmental organizations dealing with children's issues.

13. The Committee is concerned that the general principles of the Convention, as laid down in its articles 2 (non-discrimination), 3 (best interests of the child) and 12 (respect of the views of the child), are not being fully integrated into the legislative policies and programmes relevant to children, in particular in relation to children belonging to vulnerable categories such as children belonging to minorities, children with disabilities, children in institutions or deprived of liberty, children ill-treated and abused within the family, children who are victims of sexual exploitation, and children who live and/or work on the streets.

14. The Committee is concerned that sufficient measures have not been taken to disseminate and raise awareness about the principles and provisions of the Convention in all parts of society, among children and adults alike, in conformity with article 42 of the Convention.

15. The Committee is concerned that no adequate measures have been taken to prevent and combat all forms of discriminatory practices against children belonging to minorities, including Roma children, and to ensure their full access to health, education and other social services. The Committee is concerned that the principles and provisions of the Convention are not fully respected as regards Roma children, in particular those who are in detention or otherwise institutionalized.

16. While acknowledging recent legal measures to resolve the situation of children, especially those placed in institutions or in foster homes, who were not registered for lawful permanent residence and were thereby denied the right to citizenship, the Committee remains concerned at the fact that children and care takers in such situations are not sufficiently informed about the procedures for applying for citizenship.

17. In the light of article 17 of the Convention, the Committee is concerned that sufficient mechanisms do not exist to protect children from harmful information, including violence and pornography in the media.

18. The Committee is concerned that corporal punishment is still used by parents and that internal school regulations do not contain provisions explicitly prohibiting corporal punishment, in conformity with articles 3, 19 and 28 of the Convention.

19. The Committee is worried about the increasing problems of environmental degradation in the State party, which have a harmful impact on the health of children.

20. In regard to the situation of children with disabilities, the Committee expresses its concern at the insufficient measures taken by the State party to ensure effective access of these children to health, education and social services, and to facilitate their full inclusion into society. The Committee is also concerned about the small number of well-trained professionals dealing with disabled children.

21. The Committee is concerned about the insufficiency of the measures taken to tackle issues of reproductive health and the incidence of early pregnancies.

22. The Committee expresses its concern that the measures, including legal ones, being taken to address the problems of child abuse, including sexual abuse within the family, and the sale and trafficking of children, child prostitution and child pornography are insufficient. The Committee is also concerned that, as referred to in the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/1997/95/Add.1), the State party may serve as a transit country for the trafficking of children.

23. The Committee expresses its concern at the phenomenon of children working and/or living on the street, and at the inadequate measures taken to tackle this issue.

24. The Committee expresses its concern at the rising incidence of gambling addiction, alcohol consumption and drug abuse among children and the insufficient preventive measures taken by the State party.

25. The system of the administration of juvenile justice, and in particular its compatibility with articles 37, 39, and 40 of the Convention and with other relevant standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, is a matter of concern to the Committee. The Committee remains particularly worried, inter alia, about the rights of the child to legal assistance and judicial review, that deprivation of liberty is not used only as a measure of last resort, and about the stigmatization of the most vulnerable categories of children, including those belonging to the Roma minority.

E. Suggestions and recommendations

26. In the light of the Vienna Declaration and Programme of Action of 1993, the Committee encourages the State party to review its reservation to article 7, paragraph 1, of the Convention.

27. The Committee takes note that a National Plan of Action has been drafted and encourages the State party to follow all the necessary steps to implement it. The Committee also recommends that the State party strengthen coordination between the various governmental mechanisms involved in children's rights, at both the national and local levels, with a view to developing a comprehensive policy on children and ensuring effective

evaluation of the implementation. Moreover, the Committee encourages the State party to continue and strengthen its efforts to develop a close partnership with non-governmental organizations (NGOs).

28. The Committee encourages the State party to pursue its consideration of the establishment of an independent mechanism to monitor the observance of children's rights, such as an Ombudsperson or a National Commission for Children's Rights.

29. The Committee recommends that the State party give priority attention to the identification of appropriate disaggregated indicators with a view to addressing all areas of the Convention and all groups of children in society. Such mechanisms can play a vital role in systematically monitoring the status of children, and in evaluating progress achieved and difficulties hampering the realization of children's rights. They can be used as a basis for designing programmes to improve the situation of children, particularly the most disadvantaged, including children belonging to minorities, children with disabilities, children ill-treated and abused within the family, children in institutions or deprived of liberty, children who are victims of sexual exploitation and children who live and/or work on the streets.

30. The Committee recommends that further efforts be made to ensure that national laws conform fully with the Convention, having due regard to the principles of the best interests of the child, non-discrimination, respect for the views of the child, and his or her right to participate in family, school, other institutions and social life.

31. The Committee recommends that consideration be given to incorporating the Convention in the curricula of all educational institutions and that appropriate measures be taken to facilitate access by children to information on their rights. The Committee also suggests that the State party direct further efforts to providing comprehensive training programmes for professional groups working with and for children such as judges, lawyers, law enforcement personnel, army officials, teachers, school administrators, social workers, and personnel of child-care institutions.

32. The Committee recommends that the State party undertake major efforts to develop awareness-raising campaigns aimed at reducing discriminatory practices against the Roma population and should envisage special programmes to improve the standard of living, education and health of Roma children.

33. The Committee recommends that the State party take further measures in accordance with article 7, paragraph 2, of the Convention, including measures to facilitate applications for citizenship, so as to resolve the situation of stateless children, especially those placed in institutions. The Committee also suggests that the State party consider acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

34. The Committee recommends that the State party envisage plans to adopt reproductive health measures designed to reduce the incidence of pregnancies among teenage girls and strengthen its information and prevention programmes to combat HIV/AIDS and other sexually transmitted diseases (STD). The

Committee also recommends that the State party take adequate measures, including awareness-raising campaigns and the provision of support services to needy families, in order to prevent the abandonment of children and to protect poor single mothers from child traffickers.

35. The Committee recommends that further measures to protect children from abuse and maltreatment be undertaken, in particular through the development of a widespread public information campaign for the prevention of corporal punishment at home, at school, and in other institutions.

36. The Committee welcomes the intention of the State party to accede to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption and recommends that appropriate steps be taken to ensure its entry into force.

37. In regard to children with disabilities, the Committee recommends that the State party develop early identification programmes to prevent disabilities, implement alternative measures to the institutionalization of disabled children, and envisage awareness-raising campaigns to reduce discrimination against disabled children and encourage their inclusion into society.

38. The Committee recommends that the State party undertake more comprehensive research on the possible effects of environmental pollution on the health of children.

39. The Committee suggests that the State party undertake a comprehensive study of child abuse and ill-treatment in the family. The Committee also recommends reinforcing its policies and programmes to prevent and combat all forms of sexual abuse, including domestic violence and incest. As regards sexual exploitation of children, the Committee encourages the State party to take into consideration the recommendations of the 1996 Stockholm Congress against Commercial Sexual Exploitation of Children, as well as those of the Special Rapporteur on the sale of children, child prostitution and child pornography.

40. The Committee encourages the State party to envisage ratifying ILO Convention No. 138, regulating the minimum age for access to employment. Furthermore, in view of the increasing phenomenon of children living and/or working on the street, it recommends that efforts be strengthened to provide social support to such children.

41. The Committee recommends that the State party envisage undertaking a comprehensive reform of the system of juvenile justice in the spirit of the Convention, in particular articles 37, 39 and 40, and of other United Nations standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Particular attention should be paid to the right of children to prompt access to legal assistance. Training programmes on the relevant international standards should be organized for all professionals involved with the juvenile justice system and specialized courts should be established.

42. Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the report be published, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.